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25944 7590 12/17/2003

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| EXAMINER |
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POKRZYWA, JOSEPH R

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| ART UNIT | PAPER NUMBER |
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2622

DATE MAILED: 12/17/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/139,023

Applicant(s)

TAKI ET AL.

Examiner

Joseph R. Pokrzywa

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 16-20 and 22 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21 is/are allowed.
- 6) ☒ Claim(s) 1-15 and 23-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 9/22/03, and has been entered and made of record. Currently, **claims 1-29** are pending, with **claims 16-20, and 22** withdrawn from consideration as being drawn to a non-elected invention.

Response to Arguments

2. Applicant's arguments with respect to **claims 1, and 23-25** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1, 4-15, and 23-29** are rejected under 35 U.S.C. 102(b) as being anticipated by Ogata *et al.* (U.S. Patent Number 4,827,349).

Regarding **claim 1**, Ogata discloses a document information communicating system comprising a sending apparatus (see abstract and Fig. 1) for sending document information which is divided into a plurality of pages (column 5, line 24 through column 6, line 56), and a

Art Unit: 2622

receiving apparatus (see Figs. 5, and 14A-14C) for receiving the document information and displaying the received document information (column 11, line 25 through column 12, line 40).

Further, Ogata teaches that the sending apparatus comprises a dividing device (CPU 27) for dividing each page of the document information into a plurality of blocks (see Fig. 7, column 4, lines 20 through 25), a converting device for converting the plurality of blocks into transmission data by adding header information to each of the blocks (column 4, lines 20 through 33), the header information includes page information (see Fig. 12A, column 4, lines 28 through 31), a sending device for sending the transmission data (communication control unit 30), and a sending control device for controlling the sending device so as to repeatedly send transmission data corresponding to a different block included in a specific page (see Fig. 3, steps S3-S5, column 5, line 24 through column 6, line 7), changing the specific page each time one unit of transmission data is sent (column 5, lines 64 through column 6, line 35, wherein for a class 1 terminal, image data blocks are transmitted one page at a time, and each block is printed on one page, thereby changing the specific page each time the transmission data was sent).

Further, Ogata teaches that the receiving apparatus comprises a referring device for referring to page information corresponding to the document information (column 4, lines 20 through 56, and column 7, lines 21 through 52) by checking page information in header information of transmission data of the received document information each time the document information receiving apparatus receives document information (column 4, lines 20 through 56, column 7, lines 21 through 52, and column 11, lines 25 through 46), a receiving device, when the referring device recognizes that one page of the document information should be received, for receiving the one page of the document information (column 4, lines 20 through 56, and column

Art Unit: 2622

11, line 47 through column 12, line 40), a display device having a display panel (CRT 60), a size of the display panel corresponding to a size of one page of the document information (column 4, lines 20 through 23), and a display control device for displaying the received one page of the document information on the display panel (column 4, lines 20 through 56, and column 11, line 47 through column 12, line 40).

Regarding *claim 4*, Ogata discloses the system discussed above in claim 1, and further teaches that the sending apparatus comprises a dividing device (CPU 27) for dividing each page of the document information into a plurality of blocks (see Fig. 7, column 4, lines 20 through 25), a sending device (communication control unit 30) for sending the plurality of blocks (column 3, line 31 through column 4, line 17), and a sending control device for controlling the sending device so as to repeatedly send a different block included in a specific page (see Fig. 3, steps S3-S5, column 5, line 24 through column 6, line 7), changing the specific page each time the one block is sent (column 5, lines 64 through column 6, line 35, wherein for a class 1 terminal, image data blocks are transmitted one page at a time, and each block is printed on one page, thereby changing the specific page each time the transmission data was sent).

Regarding *claim 5*, Ogata discloses the system discussed above in claim 1, and further teaches that the sending apparatus comprises a dividing device for dividing each page of the document information into a plurality of blocks (see Fig. 7, column 4, lines 20 through 25), and a sending device for sending the plurality of blocks in a discontinuous order (column 6, lines 49 through 56, wherein error blocks or error pages are retransmitted, thereby showing that the transmission data is in a discontinuous order).

Regarding **claim 6**, Ogata discloses the system discussed above in claim 1, and further teaches that if the document information is formed by a plurality of characters (column 1, lines 34 through 45, and column 4, lines 20 through 56, see Fig. 7), the sending apparatus sends the plurality of characters in discontinuous order (column 6, lines 49 through 56, wherein error blocks or error pages are retransmitted, thereby showing that the transmission data is in a discontinuous order).

Regarding **claim 7**, Ogata discloses the system discussed above in claim 1, and further teaches that the display control device comprises a memory device (VRAM 26) having a minimum memory capacity enough to store one page of the document information and additional information necessary for displaying the document information display panel (column 3, lines 64 through 66, column 4, lines 41 through 56, and column 11, lines 41 through 46).

Regarding **claim 8**, Ogata discloses the system discussed above in claim 1, and further teaches that the size of the display panel corresponds to a size of one page of the document information (column 4, lines 20 through 23).

Regarding **claim 9**, Ogata discloses the system discussed above in claim 1, and further teaches that the receiving apparatus includes an error determining device for determining whether or not the document information received by the receiving device includes an error (column 6, lines 49 through 56, and column 7, lines 21 through 52), and a reception control device for controlling the receiving device so as to repeatedly receive the selected page of the document information (see Fig. 5), if the error determining device determines that the document information received by the receiving device includes an error (column 6, lines 49 through 56, and column 7, lines 21 through 52).

Regarding **claim 10**, Ogata discloses the system discussed above in claim 1, and further teaches that the receiving apparatus comprises a converting device for converting the document information formed by a plurality of characters into the document information formed by bitmap data (column 3, lines 31 through 66, and column 11, lines 25 through 46).

Regarding **claim 11**, Ogata discloses the system discussed above in claim 1, and further teaches that the receiving apparatus comprises a power control device for powering down the receiving device after reception of the document information (column 8, lines 1 through 20), and periodically powering up the receiving device to check whether or not the document information sent from the sending apparatus is changed (column 7, lines 56 through column 8, line 9).

Regarding **claim 12**, Ogata discloses the system discussed above in claim 1, and further teaches that the sending apparatus comprises a document information removing device for sending insignificant data to the receiving apparatus in order to remove the document information that was previously sent to the receiving apparatus (column 6, lines 8 through 48, and column 8, lines 21 through 49).

Regarding **claim 13**, Ogata discloses the system discussed above in claim 12, and further teaches that the insignificant data is a group of blank data (column 8, lines 39 through 49).

Regarding **claim 14**, Ogata discloses the system discussed above in claim 1, and further teaches that the receiving apparatus comprises a communication determining device for determining whether or not maintaining communication between the sending apparatus and the receiving apparatus is possible (column 8, line 53 through column 9, line 11), and a removing device for removing the document information that was previously received from the sending apparatus (column 8, line 61 through column 9, line 5), unless the communication determining

Art Unit: 2622

device determines that maintaining the communication is possible (column 9, lines 6 through 11).

Regarding **claim 15**, Ogata discloses the system discussed above in claim 14, and further teaches that the communication determining device determines whether or not intensity of a communication signal which carries the document information from the sending apparatus to the receiving apparatus is more than a predetermined intensity (column 9, line 66 through column 10, line 68).

Regarding **claim 23**, Ogata discloses a document information sending apparatus (see abstract and Fig. 1) for sending document information which is divided into a plurality of pages (column 5, line 24 through column 6, line 56), the document information sending apparatus comprising a dividing device (CPU 27) for dividing each page of the document information into a plurality of blocks (see Fig. 7, column 4, lines 20 through 25), a converting device for converting the plurality of blocks into transmission data by adding header information to each of the blocks (column 4, lines 20 through 33), the header information includes page information (see Fig. 12A, column 4, lines 28 through 31), and a sending device (communication control unit 30) for sending the transmission data in discontinuous order (column 6, lines 49 through 56, wherein error blocks or error pages are retransmitted, thereby showing that the transmission data is in a discontinuous order).

Regarding **claim 24**, Ogata discloses a document information sending apparatus (see abstract and Fig. 1) for sending document information which is divided into a plurality of pages (column 5, line 24 through column 6, line 56), the document information sending apparatus comprising a dividing device (CPU 27) for dividing each page of the document information into

Art Unit: 2622

a plurality of blocks (see Fig. 7, column 4, lines 20 through 25), a converting device for converting the plurality of blocks into transmission data by adding header information to each of the blocks (column 4, lines 20 through 33), the header information includes page information (see Fig. 12A, column 4, lines 28 through 31), a sending device for sending the transmission data (communication control unit 30), and a sending control device for controlling the sending device so as to repeatedly send transmission data corresponding to a different block included in a specific page (see Fig. 3, steps S3-S5, column 5, line 24 through column 6, line 7), changing the specific page each time one unit of transmission data is sent (column 5, lines 64 through column 6, line 35, wherein for a class 1 terminal, image data blocks are transmitted one page at a time, and each block is printed on one page, thereby changing the specific page each time the transmission data was sent).

Regarding *claim 25*, Ogata discloses a document information receiving apparatus (see Figs. 5, and 14A-14C) for receiving document information which is divided into a plurality of pages and displaying the received document information (column 11, line 25 through column 12, line 40), the document information receiving apparatus comprising a referring device for referring to page information corresponding to the document information (column 4, lines 20 through 56, and column 7, lines 21 through 52) by checking page information in header information of transmission data of the received document information each time the document information receiving apparatus receives document information (column 4, lines 20 through 56, column 7, lines 21 through 52, and column 11, lines 25 through 46), a receiving device, when the referring device recognizes that one page of the document information should be received, for receiving the one page of the document information (column 4, lines 20 through 56, and column

Art Unit: 2622

11, line 47 through column 12, line 40), a display device having a display panel (CRT 60), a size of the display panel corresponding to a size of one page of the document information (column 4, lines 20 through 23), and a display control device for displaying the received one page of the document information on the display panel (column 4, lines 20 through 56, and column 11, line 47 through column 12, line 40).

Regarding **claim 26**, Ogata discloses the apparatus discussed above in claim 25, and further teaches that the display control device comprises a memory device (VRAM 26) having a memory capacity enough to store one page of the document information and additional information necessary for displaying the one page of the document information on the display panel (column 3, lines 64 through 66, column 4, lines 41 through 56, and column 11, lines 41 through 46).

Regarding **claim 27**, Ogata discloses the apparatus discussed above in claim 25, and further teaches of a power control device for powering down the receiving device after reception of the document information (column 8, lines 1 through 20), and periodically powering up the receiving device to check whether or not the document information sent from the sending apparatus is changed (column 7, lines 56 through column 8, line 9).

Regarding **claim 28**, Ogata discloses the system discussed above in claim 1, and further teaches that the sending apparatus further comprises a dividing device for dividing each page of the document information into a plurality of blocks (see Figs. 7 and 12A), and a sending device for sending the plurality of blocks (column 3, lines 13 through 33), wherein each block includes a header block and a document information area block (see Fig. 12A), and the referring device refers to page information included in the header block (column 4, lines 20 through 56, column

7, lines 21 through 52, and column 11, lines 25 through 46), and recognizes whether the page of the document information should be received (column 4, lines 20 through 56, and column 11, line 47 through column 12, line 40).

Regarding *claim 29*, Ogata discloses the apparatus discussed above in claim 25, and further teaches that each block of the document information divided into a plurality of pages includes a header block and a document information area block (see Fig. 12A), and the referring device refers to page information included in the header block (column 4, lines 20 through 56, column 7, lines 21 through 52, and column 11, lines 25 through 46), and recognizes whether the page of the document information should be received (column 4, lines 20 through 56, and column 11, line 47 through column 12, line 40).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 2 and 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogata *et al.* (U.S. Patent Number 4,827,349).

Regarding *claim 2*, Ogata discloses the system discussed above in claim 1, and further teaches that the sending apparatus sends the document information formed by a plurality of characters (column 3, lines 31 through 63), and the sending apparatus comprises a dividing device for dividing each page of the document information into a plurality of blocks (column 4,

Art Unit: 2622

lines 20 through 56), and a sending device for sending the plurality of blocks (column 5, lines 19 through 50). However, Ogata is unclear if the number of the characters included in each block being not more than the number of the characters included in one line of each page of the document information. But Ogata does teach that the system determines the size of each block, wherein each block can correspond to a data quantity, and a position on a page (column 4, lines 20 through 56). Because of this, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to interpret the size or length of the object as the number of the characters included in each block being not more than the number of the characters included in one line of each page of the document information. By following this practice, Ogata's system would create a more efficient system, as users would be allowed to select and download certain lines of the document.

Regarding *claim 3*, Ogata discloses the system discussed above in claim 1, and further teaches that the sending apparatus sends the document information formed by bitmap data (column 3, lines 31 through 63), and the sending apparatus comprises a dividing device for dividing each page of the document information into a plurality of blocks (column 4, lines 20 through 56), and a sending device for sending the plurality of blocks (column 5, lines 19 through 50). However, Ogata is unclear if the amount of the bitmap data included in each block being integral number times as much as the amount of the bitmap data included in one line element of each page of the document information. But Ogata does teach that the system determines the size of each block, wherein each block can correspond to a data quantity, and a position on a page (column 4, lines 20 through 56). Because of this, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to interpret the size or length of the

Art Unit: 2622

object as the amount of the bitmap data included in each block being integral number times as much as the amount of the bitmap data included in one line element of each page of the document information the amount of the bitmap data included in each block being integral number times as much as the amount of the bitmap data included in one line element of each page of the document information. By following this practice, Ogata's system would create a more efficient system, as users would be allowed to select and download certain lines of the document.

Allowable Subject Matter

7. **Claim 21** is allowed.

8. The following is a statement of reasons for the indication of allowable subject matter:

Regarding **claim 21**, in the examiner's opinion, it would not have been obvious to have a system, as claimed, include a sending apparatus comprising a spreading device for spreading the communication signal by using a spreading sequence and a receiving apparatus comprising an inputting device for inputting a password, a spreading sequence generating device for generating the spreading sequence by using the input password, a disspreading device for disspreading the received communication signal by using the spreading sequence and an extracting device for extracting the document information from the disspreading communication signal.

Citation of Pertinent Prior Art

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Orlen (U.S. Patent Number 5,459,482) discloses a system that transmits a facsimile image as sections.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

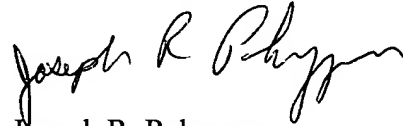
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

Art Unit: 2622

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Joseph R. Pokrzywa
Examiner
Art Unit 2622

jrj



EDWARD COLES
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